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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,737	02/24/2000	Daniel Yellin	P-5332-US	5521

27130 7590 06/02/2004

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EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,737

Applicant(s)

YELLIN, DANIEL

Examiner

Tan V Mai

Art Unit

2124

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/23/03, 1/8/04 & 3/8/04.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 9-11, 13, 16, 18, 23-27, 29, 30, 41 and 53-60 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3, 9-11, 13, 16, 18, 23-27, 29-30, 41 and 53-60 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3, 9-11, 13, 16, 18, 23-27, 29-30, 41, 53-56, and 60 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for "operating" logic function(s) [in functional units 44] **"when all the inputs of the inputs of the respective functional unit 44 are valid"** (i.e., see specification, page 6, line 23 to page 7, line 3 and Fig. 3), does not reasonably provide enablement for **"disable the propagation into or within the adapter of a valid signal value received at the first input when an invalid signal value is received at the second input"** (claim 1). Similarly noted other claims with "valid" feature(s). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

It is noted that applicant's Fig. 3 discloses functional unit 44 for "operating" logic function(s) of input signals. In the specification, page 7, lines 9-11, discloses "[a]fter inputs In1 and In2 of adapter 42 become **valid** the enable line 46 of functional unit f3 enabled allowing the calculation of output Out3, which depends only on the In1 and In2 inputs". However, there is NO Figure and/or disclosure what is the validation of the signal(s).

The examiner contends that not only would it require undue experimentation to design the above "wave digital filter" which would perform the function(s) disclosed and claimed, but that it would also require undue experimentation for one of ordinary skill in the art to design working "wave digital filter" that would have "means for **validating**" the

"signal value(s)" before performing the desired function(s) [by the functional units] as claimed.

3. Claims 11 and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 11, "claim 7" is incorrect.

As per claim 60, the phrase "control unit is able open ... based on the signal values they hold" should be --control unit is able open ... based on the valid signal values they hold--.

4. Claims 57-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fettweis (Applicant's admission Prior Art).

As per independent claim 57, Fettweis, e.g., see Fig. 19(d), disclose all the claimed features except the "second latch"; however, the Fettweis' inverter "-1" is considered the same as the claimed "latch" because "latch" or "buffer" has two types "noninverting" and "inverting". It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Fettweis's teachings because the device is a wave digital filter having cascaded adapters as claimed.

As per dependent claim 58, Fettweis does show the claimed feature.

As per dependent claim 59, Fettweis "latch" / "register" (T/2, T) should have "control signal(s)" for propagating the stored "signal value(s)".

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (703) 305-9761. The examiner can normally be reached on Tue-Fri from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are:

Official (703) 746-7239.777

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TAN V. MAI
PRIMARY EXAMINER